

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ANTONIO CHAVEZ-JUAREZ,

v.

FERNANDEIS FRAZIER, *et al.*,

Respondents.

Case No. 3:22-cv-00533-ART-CLB
**Order Dismissing Petition, Denying
Certificate of Appealability and
Closing Case**

On April 6, 2023, the Court directed that, within 30 days, *pro se* 28 U.S.C. § 2254 habeas corpus petitioner Antonio Chavez-Juarez show cause and file such proof as he may have to demonstrate that the Court should not dismiss his petition as second or successive to *Chavez-Juarez v. Russell, et al.*, Case No. 3:17-cv-00192-MMD-WGC (“*Chavez-Juarez I*”). 28 U.S.C. § 2244(b)(3)(A). (ECF No. 5.) That order was served on Chavez-Juarez at his address of record. (See ECF No. 5.) The Court expressly advised Chavez-Juarez that if he failed to file such proof his petition would be dismissed. More than the allotted time has passed, and Chavez-Juarez has not responded to the Court’s order in any manner. Accordingly,

IT IS ORDERED that the Clerk of Court detach and filed the petition (ECF No. 1-1).

IT IS FURTHER ORDERED that the petition is **DISMISSED** as second and successive.

1 IT IS FURTHER ORDERED that a certificate of appealability will not
2 issue.

3 IT IS FURTHER ORDERED that the Clerk enter judgment accordingly and
4 close this case.

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6 DATED THIS 13th day of June 2023.

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10 ANNE R. TRAUM
11 UNITED STATES DISTRICT JUDGE
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